AMENDMENTS TO THE CLAIMS

Claim 1 (Previously Presented): A ceramic heater comprising

a ceramic substrate having two opposing surfaces and a side face, and

a heating element on one of the two opposing surfaces of the ceramic substrate or inside the ceramic substrate, wherein

the surface roughness Rmax of the side face of said ceramic substrate is from 0.1 to 200 μm according to JIS B 0601.

Claim 2 (Previously Presented): The ceramic heater according to claim 1, wherein said ceramic heater is used in gas; and

said surface roughness Rmax is from 0.5 to 200 μm according to JIS B 0601.

Claim 3 (Previously Presented): The ceramic heater according to claim 1, wherein said ceramic substrate is fitted into a supporting case.

Claim 4 (Previously Presented): The ceramic heater according to claim 1, wherein said ceramic substrate is made of a nitride ceramic.

Claim 5 (Previously Presented): The ceramic heater according to claim 1, wherein said ceramic substrate is made of a carbide ceramic or an oxide ceramic.

Claims 6-7 (Canceled)

Claim 8 (Previously Presented): The ceramic heater according to claim 1, wherein the thickness of said ceramic substrate is over 1.5 mm.

Claim 9 (Previously Presented): The ceramic heater according to claim 1, wherein said ceramic substrate is produced by sintering ceramic powders.

Claim 10 (Previously Presented): The ceramic heater according to claim 1, further comprising a temperature-measuring element.

Claim 11 (Previously Presented): The ceramic heater according to claim 1, wherein said ceramic substrate comprises a sintering aid.

Claim 12 (Previously Presented): The ceramic heater according to claim 1, wherein said heating element comprises two or more circuits.

Claim 13 (New): The ceramic heater according to claim 1, wherein said ceramic heater is for heating a semiconductor wafer.

Claim 14 (New): The ceramic heater according to claim 2, wherein the gas is air.

SUPPORT FOR THE AMENDMENTS

This Amendment amends Claim 2; and adds new Claims 13-14. Support for the amendments is found in the specification and claims as originally filed. In particular, support Claim 2 is in the specification at least at page 3, lines 31-32. Support for Claim 13 is found in the specification at least at page 1, lines 5-7. Support for Claim 14 is found in the specification at least at page 3, lines 31-32. No new matter would be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1-5 and 8-14 will be pending in this application. Claim 1 is independent.

REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

Claims 1-5 and 8 are rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-10 of U.S. Patent No. 6,465,763, which issued from grandparent U.S. Application No. 09/926,261. Claims 9-12 are rejected under the judicially creating doctrine of obviousness-type double patenting over Claims 1-10 of U.S. Patent No. 6,465,763 in view of U.S. Patent No. 5,306,895 ("Ushikoshi") or U.S. Patent No. 5,616,024 ("Nobori"). To obviate the double patenting rejections, a Terminal Disclaimer over U.S. Patent No. 6,465,763 is attached

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Corwin P. Umbach, Ph.D.
Registration No. 40,211

Attachment:
Terminal Disclaimer over U.S. Patent No. 6,465,763

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

NFO/CPU

5